

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BRUCE DWAIN COPELAND, Derivatively on
behalf of RBR Investments, Inc;

Plaintiff,

vs.

TD AMERITRADE HOLDING
CORPORATION, and CHARLES SCHWAB
CORPORATION,

Defendants.

8:24CV47

ORDER

This matter is before the Court on Defendants' Motion to Compel Arbitration. ([Filing No. 13](#).) Plaintiff has not responded to the motion, and his time for doing so has expired. Thus, the Court has nothing to contradict Defendants' argument for arbitrability—that is, that there was an agreement to arbitrate between the parties and the dispute here falls within the scope of that agreement. See [Express Scripts, Inc. v. Aegon Direct Mktg. Servs.](#), 516 F.3d 695, 699-700 (8th Cir. 2008).

Having fully considered and reviewed the matter, the Court concludes this controversy is subject to arbitration and will therefore compel arbitration as requested.

Accordingly,

IT IS ORDERED:

1. Defendants' Motion to Compel Arbitration ([Filing No. 13](#)) is granted.
2. The parties are directed to proceed to arbitration in accordance with the terms of the arbitration agreement.
3. Every 90 days from the date of this Order, Defendants' counsel shall file a report explaining the status of the arbitration.

4. The Clerk of the Court is directed to mail a copy of this Order to Plaintiff at his address of record.
5. The Clerk of the Court is directed to set an initial status report deadline of August 6, 2024.
6. The Clerk of the Court shall close this case for statistical purposes.

Dated this 8th day of May, 2024.

BY THE COURT:

s/ Susan M. Bazis
United States District Judge